

OFFICE OF THE GOVERNOR  
STATE OF MONTANA

BRIAN SCHWEITZER  
GOVERNOR



JOHN BOHLINGER  
LT. GOVERNOR

DATE: October 11, 2007  
TO: State-Tribal Relations Committee  
FROM: Andrew Huff, Governor's Office  
RE: State-Tribal Gaming Compact Status

A handwritten signature in black ink, appearing to read "Andrew L. Huff".

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This memorandum summarizes the current status of state-tribal Class III gaming compacts in Montana.

I. Chippewa Cree Nation of Rocky Boy's Indian Reservation

The State and the Chippewa Cree Nation signed an "Amendment to the Interim Compact between the Chippewa Cree Tribe of the Rocky Boy's Reservation and the State of Montana Regarding Class III Gaming on the Rocky Boy's Reservation," in November 2005. The amended compact replaces the 1993 compact, under which the Tribe operated a maximum of 100 Class III machines, with payouts of \$1,000. The new amendments allow 300 Class III machines with payouts of \$1,500, in addition to other forms of gambling that are legal in Montana.

II. Gros Ventre and Assiniboine Nations of the Fort Belknap Indian Reservation

The State and the Fort Belknap Indian Community Council signed a state-tribal gaming compact on August 23, 2007. The Montana Attorney General approved the compact on September 10, 2007. The compact must now be approved by the U.S. Department of the Interior to be in effect. The compact is the first gaming compact signed between the State of Montana and the Fort Belknap Indian Community Council. Under the agreement, the Tribes may have up to 400 Class III video gambling machines, with maximum payouts of \$2,000. In addition, the Tribes may conduct all other forms of gambling that are legal in Montana.

III. Northern Cheyenne Nation of the Northern Cheyenne Indian Reservation

The State and the Northern Cheyenne Nation signed an "Extension of Agreement between the Northern Cheyenne Tribe and the State of Montana Concerning Class III Gaming, with Incorporated Amendments," in March 2007. The U.S. Department of the Interior approved of the extension and amendment in

April 2007. The extension replaces the 1993 compact, under which the Northern Cheyenne were able to operate a maximum of 100 machines with \$1,500 payouts. Under the extension and amendments, the Northern Cheyenne may operate 400 machines total, with a maximum payout of \$2,000, in addition to conducting other forms of gambling that are legal in Montana.

The Northern Cheyenne are also in the process of seeking Department of Interior (DOI) approval for a new casino facility that would be located on tribal trust lands, on the western shore of the Tongue River Reservoir, south of the Reservation. The Department of the Interior is currently reviewing an Environmental Assessment of the proposed casino. The DOI must also issue a finding that the casino is in the best interests of the Tribe and would not be detrimental to the surrounding community.

#### IV. Assiniboine and Sioux Nations of the Fort Peck Indian Reservation

The Class III compact between the State and the Assiniboine and Sioux Nations of Fort Peck allows 100 machines with \$1,500 maximum payouts. The current Fort Peck tribal government has not requested negotiations with the State for the purpose of entering into a new compact.

#### V. Crow Nation of the Crow Indian Reservation

The State and the Crow Nation are negotiating a new Class III gaming compact. The current compact allows for 100 Class III machines with a maximum \$1,000 payout.

#### VI. Blackfeet Nation of the Blackfeet Indian Reservation

There is no Class III state-tribal gaming compact with the Blackfeet Nation. The previous compact was terminated in 1997. State-tribal negotiations in 2006 did not result in a new gaming compact. Currently, the Blackfeet Nation operates the Glacier Peaks Casino, which is a Class II gaming facility.

#### VII. Salish and Kootenai Nations of the Flathead Indian Reservation

There is no Class III state-tribal gaming compact with the Salish and Kootenai Nations of the Flathead Indian Reservation. The last compact lapsed in 2006, after state-tribal negotiations did not result in a new compact. Currently, the Salish and Kootenai operate two Class II casinos: Kwa Taq Nuk and the Gray Wolf Peak casino.